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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/647,784	10/05/2000	Juha Rasanen	PM 273950	4022

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EXAMINER	
SCHEIBEL, ROBERT C	
ART UNIT	PAPER NUMBER
2666	

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/647,784	RASANEN, JUHA	
	Examiner	Art Unit	
	Robert C. Scheibel	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 September 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *10,27,30,38 and 39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10,27,30,38 and 39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

- Applicant's Amendment and Request for Continued Examination filed 9/8/2005 is acknowledged.
- Claim 30 is amended in this amendment.
- Claims 38 and 39 are new in this amendment.
- Claims 10, 27, 30, 38, and 39 are currently pending.

Response to Arguments

1. Applicant's arguments, see page 5, with respect to the alleged allowability of claims 10, 27, 30, 38, and 39 have been considered. However, in view of newly considered art (U.S. Patent 5,570,355 to Dail et al), these claims have been rejected herein.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims **10, 27, 30, 38, and 39** are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,570,355 to Dail et al.

Regarding claims **10, 27, and 38**, Dail discloses all the limitations of these claims as follows:

A method of producing two or more simultaneous data calls for one mobile station (the mobile station in Dail is a "station" 107 – see lines 52-55 of column 5 for an explanation of how this station is also a mobile station in an embodiment) in a mobile communication system, comprising assigning only one common traffic channel to two or more simultaneous mobile communication network calls of the mobile station (the specification as a whole discusses the use of a single channel for multiple calls; these calls can be from the same mobile station; this is most evident in the passage in lines 34-50 of column 26 which, at the end of the specification, describes a "modification" to the base implementation whereby a second call from the same station ***can*** use a second channel; this clearly indicates that in the base implementation described throughout (i.e. without the "modification"), this second call would be assigned to the same channel as the first call; as further evidence, see figure 3 which shows a mobile station with multiple services generating different types of traffic which is transmitted using one transmitter after being multiplexed by element 338), sharing the capacity of the common traffic channel between the simultaneous calls (this is evident throughout – see lines 10-14 as just one of many examples; as further evidence, see figure 3 which shows a mobile station with multiple services generating different types of traffic which is transmitted using one transmitter after being multiplexed by element 338), detecting that the mobile communication network is temporarily unavailable to allocate more transmission capacity or the required transmission capacity to the common traffic channel when a new call or connection is established (see lines 35-37 of column 18 and figure 15), allocating the requested capacity to transparent calls or connections and the remaining capacity to non-transparent calls or connections when the mobile communication network is temporarily unable to allocate more transmission capacity or the requested amount of

transmission capacity to the common traffic channel (see lines 15-18 of column 5; the STM traffic is equivalent to transparent calls in that it is delay sensitive; ATM traffic is equivalent to non-transparent traffic as it may not be delay sensitive as in the case of a file transfer described in lines 21-23 of column 5), and allocating the requested capacity to non-transparent calls or connections later when capacity becomes available in the network (see lines 9-15 of column 5; see also lines 4-7 of column 4).

Similarly, regarding claims **30 and 39**, Dail discloses all the limitations of these claims as follows:

A mobile communication network, comprising means for establishing one traffic channel of the mobile communication network for two or more simultaneous mobile communication network calls of a mobile station (the mobile station in Dail is a "station" 107 – see lines 52-55 of column 5 for an explanation of how this station is also a mobile station in an embodiment; the specification as a whole discusses the use of a single channel for multiple calls; these calls can be from the same mobile station; this is most evident in the passage in lines 34-50 of column 26 which, at the end of the specification, describes a "modification" to the base implementation whereby a second call from the same station ***can*** use a second channel; this clearly indicates that in the base implementation described throughout (i.e. without the "modification"), this second call would be assigned to the same channel as the first call; as further evidence, see figure 3 which shows a mobile station with multiple services generating different types of traffic which is transmitted using one transmitter after being multiplexed by element 338), means for sharing the capacity of said common traffic channel between said simultaneous calls (this is evident throughout – see lines 10-14 as just one of many examples; as further evidence, see figure 3

which shows a mobile station with multiple services generating different types of traffic which is transmitted using one transmitter after being multiplexed by element 338), means for negotiating between the mobile station and a network about the channel capacity needed for each call or connection (see the bandwidth request field of Figure 5 and lines 37-42 of column 13), and means adjusting dynamically the capacity of the common traffic channel (evident throughout; see the passage from line 66 of column 2 through line 3 of column 3 as just one example), means for establishing a separate subchannel for each call or each connection of each call in said traffic channel (the appropriate time slots discussed in lines 26-31 of column 11 for example), means for establishing one radio link protocol link or link access control protocol link over the traffic channel between the mobile station and the interworking function (clearly, there is one radio link or link access link between the splitter/combiner 360 of the mobile station in figure 3 and the splitter/combiner 472 of the base station in figure 4), means for establishing a logical link for each call or each connection of each call inside said radio link protocol link or link access control protocol link (there is a logical link for each of the services provided by applications 301-303, because the base station is able to distribute the data from each link to the appropriate service platform (490 in figure 4 or networks 111 and 112 in figure 1)) and means for transmitting the user data of each call or each connection of each call via the representative logical link by transmitting the data packets of a packet-switched call interleaved with the protocol frames of the radio link protocol or link access control protocol or encapsulated in the protocol frames (each call gets one or more time slot per frame allocated to it; this time slot assignment repeats for successive frames and thus the data is interleaved as data from a first call is sent in a time slot followed by data for a second call followed by data for the first call again in the next frame).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 6,041,051 to Doshi discloses a method for enabling multiple access for multiple services and multiple transmission modes over a broadband communication network. U.S. Patent 6,055,242 to Doshi discloses a method enabling synchronous transfer mode, variable length and packet mode access for multiple services over a broadband communication network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Scheibel whose telephone number is 571-272-3169. The examiner can normally be reached on Monday and Thursday from 6:30-5:00 Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RCS 11-14-05

Robert C. Scheibel
Examiner
Art Unit 2666

DANG TON
PRIMARY EXAMINER